

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al*,

Plaintiffs,

VS.

RICK PERRY, *et al*,

Defendants.

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CIVIL ACTION NO. 2:13-CV-00193

DECLARATION OF NON PARTY STATE SENATOR CARLOS URESTI

My name is Carlos Uresti and I am over the age of 18 and competent in all respects to make this declaration. I have personal knowledge of the matters stated below which are true and correct.

1. I was served with a the Subpoena to Produce Documents by the State of Texas, Rick Perry, the Texas Secretary of State and Steve McGraw ("Defendants") on May 29, 2014.
2. I provided documents responsive to the Defendants' Subpoena to Produce Documents.
3. The documents identified in Exhibit A are a subset of documents included in my response to the Defendants' Subpoena to Produce Documents. These documents are kept, created, or retained in the the ordinary course of my Senate duties.

2:13-cv-193
09/02/2014
DEF2733

4. It is the regular practice to keep, create or retain the documents produced in response to Defendants' Subpoena to Produce Documents, including the documents identified in Exhibit A.
5. The responsive documents, including those identified in Exhibit A, are true copies of the records in my possession.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated: September 2, 2014



Senator Carlos Uresti

EXHIBIT A

First Bates Page #	Last Bates Page #	Description
CU-PRIV000001	CU-PRIV000002	Email Jason Hassay to Michael Ruggier, etc, dated January 25, 2011, subject FW: Early vote by mail - problem Fraiser just fell into
CU-PRIV000007	CU-PRIV000010	Email Jason Hassay to Michael Ruggier, dated January 27, 2011, subject Voter ID Amendments
CU-PRIV000033	CU-PRIV000033	Email Amber Hausenfluck, dated April 1, 2011, subject: re Voter ID working group: yup its back
CU-PRIV000034	CU-PRIV000034	Email Harold Cook to Steve Scheibal etc, dated April 11, 2011, subject: Voter ID Working Group. Yup its back
CU-PRIV000037	CU-PRIV000037	Harold Cook, dated January 27, 2011, subject DEM CAUCUS: Attn Senators, Leg. Divs, Chiefs
CU-PRIV000046	CU-PRIV000047	Email Oscar Garza to Amer Hausenfluck etc, dated January 26, 2011, subject Updates on Hinojosa's Amendments
CU-PRIV000048	CU-PRIV000049	Email, Graham Keever on behalf of Graham Keever_SC to Jason Hassay etc, dated January 26, 2011, subject "re"
CU-PRIV000057	CU-PRIV000057	Harold Cook to Amber Hausenfluck etc, dated January 25, 2011, subject witness question
CU-PRIV000058	CU-PRIV000058	Email Debra Gonzales to Harold Cook etc, dated January 25, 2011, subject RE Amendment and talking point
CU-PRIV000059	CU-PRIV000059	Email Harold Cook to Amber Hausenflauck etc, January 25, 2011, subject this witness
CU-PRIV000061	CU-PRIV000062	Email Harold Cook to Amber Hauenfluck etc, dated January 25, 2011, subject Re: Republican witness list
CU-PRIV000065	CU-PRIV000065	Email, Harold Cook to Amber Hausenfluck etc, January 25, 2011, subject on point for this witness
CU-PRIV000066	CU-PRIV000066	Email Micah Rodriguez to Jason Hassay etc, January 25, 2011, subject 82nd session letter to State Affairs and HHS Final
CU-PRIV000067	CU-PRIV000082	Email Harold Cook to Amber Hausenfluck et, date January 25, 2011, subject follow-up on Zaffrinis indentivity issue
CU-PRIV000087		Email Harold Cook to Amber Hausenfluck etc, dated January 25, 2011, subject "picking cucumbers"
CU-PRIV000089	CU-PRIV000089	Email Harold Cook to Amber Hausenfluck etc, dated January 25, 2011, subject poll worker pay in Pitts budget

CU-PRIV000090	CU-PRIV000090	Email Janis Reinken to Jason Hassay etc, dated January 25, 2011, subject: RE some Qs maybe the Senator could use
CU-PRIV000101	CU-PRIV000101	Email Harold Cook to Amber Hausenfluck etc, dated January 25, 2011, subject: VID working group
CU-PRIV000105	CU-PRIV000107	Email Harold Cook to Amber Hausenfluck etc, dated January 24, 2011, subject: VID working group IMPORTANT - questions to the Democratic witnesses
CU-PRIV000108	CU-PRIV000109	Email Harold Cook to Jason Hassay etc, dated January 24, 2011, subject: RE: suggested Q & A for Republican Witness
CU-PRIV000112	CU-PRIV000112	Email Harold Cook to Amber Hausenfluck etc, dated January 24, 2011, subject: A really good question for Sec of State's office
CU-PRIV000113	CU-PRIV000115	Email Dan Buda to Jason Hassay etc, dated January 24, 2011, subject RE: Amendment
CU-PRIV000124	CU-PRIV000124	Email from Oscar Garcia to Amber Hausenfluck etc, January 1, 2011, subject: Another Probable Hinojosa Amendment
CU-PRIV000125	CU-PRIV000140	Email from Sara Gonzales to Amber Hausenfluck etc, dated January 24, 2011, subject: Amendments
CU-PRIV000165	CU-PRIV000169	Email Graham Kever on behalf of Graham Keever_SC to Steve Scheibal; Harold Cook, dated January 24, 2011, subject: Amendments request por favor
CU-PRIV000179	CU-PRIV000183	Email Ray Martinez to Amber Hausenfluck etc, dated January 23, 2011, subject: RE: Amendments request por favor
CU-PRIV000192	CU-PRIV000195	Email Amber Hausenfluck to Harold Cook and Jason Hassay dated June 23, 2011, subject: RE Amendments request por favor
CU-PRIV000196	CU-PRIV000200	Email Debra Gonzales to Harold Cook, Jason Hassay dated January 23, 2011, subject: RE Amendment requests por favor
CU-PRIV000200	CU-PRIV000203	Email Sara Gonzales to Harold Cook and Jason Hassay etc, dated January 23, 2011, subject: RE Amendments request por favor
CU-PRIV000204	CU-PRIV000207	Email David Edmonson to Harold Cook and Jason Hassay etc, dated January 23, 2011, subject Amendments request por favor
CU-PRIV000210	CU-PRIV000210	Email Harold Cook, January 22, 2011, Subject to DEM CAUCUS:Attn Senators, Leg Directors
CU-PRIV000211	CU-PRIV000212	Email, Harold Cook to Amber Hausenfluck etc, January 22, 2011, subject: VID Working Group: add'l materials from Luis Figuera

CU-PRIV000217		Email Harold Cook to Amber Hausenfluck etc, dated January 22, 2011, subject VID Working Group: DOJ memo, Georgia Law
CU-PRIV000219	CU-PRIV000219	Email Harold Cook to Steve Scheibal etc, dated January 21, 2011, subject: VID Working Group: LVP letter to Duncan
CU-PRIV000223	CU-PRIV000223	Email, Harold Cook to Steve Scheibal etc, dated January 21, 2011, subject: VID Working Group: Indiana court case
CU-PRIV000224	CU-PRIV000224	Email Harold Cook to Steve Schiebal etc, dated January 21, 2011, subject: Voter ID Working Group: Complete set of files
CU-PRIV000228	CU-PRIV000228	Email Carols Uresti to Jason Hassay and Micah Rodriguez, dated January 12, 2011, subject: FWD: Additional Attachments on Voter ID

Michael Ruggieri

From: Jason Hassay
Sent: Tuesday, January 25, 2011 10:38 AM
To: Michael Ruggieri; Mark Langford; Mark Reyna; Roy Attwood; Elisabeth Crawford
Subject: FW: Early vote by mail - problem Frasier just fell into

FYI...

From: Ray Martinez
Sent: Tuesday, January 25, 2011 9:58 AM
To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Early vote by mail - problem Frasier just fell into

All,

Some thoughts below on the use of HAVA funds to pay for photo ID education, in case this helps with anyone's line of questioning:

Fraser keeps talking about using HAVA funds (federal money) to pay for photo ID education. It is possible to use some HAVA funds on voter education, particularly voter education about voting procedures. So it would theoretically be possible to use those funds for voter outreach although doing so means that we are diverting scarce funding from other important election efforts, such as disability access, support for non-English speaking voters, poll worker training, and further modernizing/automating registration under motor voter (and isn't it ironic that Republican are OK using federal funds for photo ID implementation but they reject money for other important purposes?). Also, TX has to date begun to make important progress with regard to voter registration modernization...in my view, it would be misguided to divert attention from this priority, especially when it would make sense to expand automated registration processes to social service offices.

Also, there have been examples of secretaries of state who have gotten into trouble based on misuse of HAVA funds (both republican and democrats) and problems could arise if funds spent on voter outreach were not carefully accounted for.

Finally, to divert funds to a new voter education purpose, it would be necessary for that to be included in the TX HAVA plan; I have not reviewed the plan lately, but if it does not include funds for voter education on photo ID, it would need to be amended and the new uses of HAVA funds for photo ID education would need to be approved by the federal Election Assistance Commission.

Ray Martinez
Chief of Staff and General Counsel
Office of Senator Judith Zaffirini
Director, Senate Higher Education Committee

(512) 463-0121

rav.martinez@senate.state.tx.us

From: Harold Cook [hc@haroldcook.com]

Sent: Tuesday, January 25, 2011 9:20 AM

To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Early vote by mail - problem Frasier just fell into

Frasier just implied to Uresti that if it's too much trouble to get an ID, they can just vote early by mail. But not all voters are eligible to vote early by mail. Here's who can:

You may vote early by mail if you are:

- going to be away from your county on Election Day and during early voting;
- sick or disabled;
- 65 years of age or older on Election Day; or
- confined in jail, but eligible to vote.

Michael Ruggieri

From: Jason Hassay
Sent: Thursday, January 27, 2011 10:18 AM
To: Micah Rodriguez; Michael Ruggieri
Subject: FW: Voter ID Amendments
Attachments: Voter ID Amendments.docx

Jason Hassay
Chief of Staff & General Counsel
Office of Senator Carlos L. Uresti
512-463-0119 phone
512-463-1017 fax

From: Amber Hausenfluck
Sent: Thursday, January 27, 2011 9:04 AM
To: Graham Keever_SC; Micah Rodriguez; Harold Cook; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Cc: Ida Garcia
Subject: Voter ID Amendments

Hello all,

Attached is a list of the Vote ID Amendments presented yesterday. Those that were accepted are in bold. Thanks to Ida for compiling the list yesterday on the Senate Floor!

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: Graham Keever **On Behalf Of** Graham Keever_SC
Sent: Wednesday, January 26, 2011 8:51 PM
To: Micah Rodriguez; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Ray Martinez is famous

Rise and shine, it's a New Legislative Day!

From: Micah Rodriguez
Sent: Wednesday, January 26, 2011 5:04 PM
To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Ray Martinez is famous

Maybe we'll see Ray on the next season of Dancing with the Stars

From: Harold Cook [mailto:hc@haroldcook.com]

Sent: Wednesday, January 26, 2011 5:03 PM

To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Ray Martinez is famous

Ray Martinez is famous.

Or would that be infamous? You be the judge. All I know is, Tom DeLay's mugshot looked friendlier.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Voter ID Amendments

1. Watson - increase penalties for voter suppression
 - a. Tabled (19-11)
2. Davis - DPS shift of burden of notice if ID is for purpose of voting, then tell them for free
 - a. Tabled (19-11)
3. Gallegos/Lucio/Hino - notice posting in all languages voter info available
 - a. Acceptable to author; adopted
4. Lucio/Hino - posted notice in English and Spanish
 - a. Pulled in light of passage of #3
5. **Zaffirni - requires photo notice to be separate from other notices**
 - a. **Acceptable to author; adopted**
6. Davis - name doesn't match, then affidavit
 - a. Tabled
7. LVP - college student ID
 - a. Tabled (19-11); Frasier says SoS does not look at addresses
8. Davis - college ID
 - a. pulled
9. Hino - extension of notice/full implementation to 2017
10. Zaffirini - affidavit to use voter reg. cert.
 - a. Tabled (18-12)
11. Davis/Ellis (not in packet) - women with different names on ID's
 - a. Amend to amend (Frasier) take out affidavit provision (2) b/c SoS says current policy to ask for certificate - not acceptable to Davis
 - b. Tabled 18-12
12. Davis - name differences
 - a. Tabled (19-11)
13. Davis - expired ID
 - a. Tabled (19-11)
14. Lucio - thumbprint ID
 - a. Tabled (19-11)
15. Davis - allowance for expired ID's only if expired after last general election (modeled after Indiana)
 - a. Temporary w/draw
 - b. Tabled
16. LVP - 2 alternate forms of ID
17. Gallegos - temporary drivers license
 - a. tabled
18. **Hino - concealed hand gun**
 - a. **adopted**
19. Ellis - student ID
 - a. Tabled
20. West - elderly exemption
 - a. Tabled 19-11
21. West - medicare card
22. Lucio
 - a. Tabled 19-11

23. Lucio - expired license given 60 day window
 - a. **Acceptable and adopted**
24. Hino - photo/voter registration card...county option
 - a. tabled
25. Gallegos
 - a. Tabled 19-11
26. Gallegos - require DPS offices to be within 5 miles of public transp.
 - a. tabled
27. Lucio - notice of name change
28. Ellis - same day
 - a. tabled
29. Gallegos
 - a. Tabled 19-11
30. Ellis/Uresti/Rodriguez - SoS annual report regarding disparate impact
 - a. Tabled 19-11
31. LVP - SOS and Comp certify
 - a. Tabled 19-11
32. Watson - "ogden amendment"
 - a. **Acceptable and adopted 30 - 0**
33. West - school funding maintained
 - a. Tabled
34. Ellis - effective date
 - a. Tabled
35. Patrick - if disabled and want to be exempt, just send doctor letter to SoS
 - a. **Acceptable and adopted**
36. Davis - permanent absentee status if disabled
 - a. Tabled 19-11
37. Davis - Registration outreach, status, registration, voting places, ombudsman at state level re: issues
 - a. Tabled 19-11
38. Davis - notice of removal from registry: death, outside country or county, cancellation
 - a. Tabled 19-11
39. Davis - indigent voters provisional ballot/affidavit
 - a. Pulled down
40. Duncan/Ogden/Patrick - indigent person as defined by state law then can cast provisional ballot, affidavit with registrar (or religious objection to photograph)
 - a. Adopted 30-0
41. Davis (adaption of floor #6) match names, substantially similar and affidavit
 - a. **Acceptable and adopted 30 - 0**

Jason Hassay

From: Amber Hausenfluck
Sent: Friday, April 01, 2011 11:23 AM
To: Harold Cook; Steve Scheibal; Ray Martinez; David Edmonson; Debra Gonzales; Will Krueger; Jason Hassay; Lara Wendler; Micah Rodriguez; Dan Buda; Graham Keever_SC; Sara Gonzalez; Oscar Garza; Gonzalo Serrano; Sushma Smith
Cc: Ida Garcia
Subject: RE: Voter ID Working Group: Yup, it's back.

I put in a draft for #2. Steve is going to put in a draft for #1. If one of your boss's wants to offer number 2, that is cool. I am just getting it drafted. :)

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

-----Original Message-----

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Friday, April 01, 2011 11:09 AM
To: Steve Scheibal; Amber Hausenfluck; Ray Martinez; David Edmonson; Debra Gonzales; Will Krueger; Jason Hassay; Lara Wendler; Micah Rodriguez; Dan Buda; Graham Keever_SC; Sara Gonzalez; Oscar Garza; Gonzalo Serrano; Sushma Smith
Subject: Voter ID Working Group: Yup, it's back.

Voter ID working group: (yes, you thought this group was dead. How silly of you)

The voter ID bill is back for concurrence with House amendments, or refusal to concur and a conference committee.

There might be some value in a motion to instruct the conferees, on two issues:

1. putting the Ogden amendment back into the bill. (which Watson did in the Senate, but it disappeared in the House)
2. adding a provision which says that the law does not take effect until after the bill passes Voting Rights Act pre-clearance requirements with the Department of Justice of the DC Court.

Either of these two instructions would probably be voted down, if only because Democrats make the motion. Even if Fraser takes the amendments, I'm guessing they would not appear in the final conference report. Either way, there is some message and legal value to making the effort.

I recommend that we at least maintain our boss' ability to offer these instructions when it comes up next week, so is somebody willing to get council to draft them?

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Friday, April 01, 2011 11:09 AM
To: Steve Scheibal; Amber Hausenfluck; Ray Martinez; David Edmonson; Debra Gonzales; Will Krueger; Jason Hassay; Lara Wendler; Micah Rodriguez; Dan Buda; Graham Keever_SC; Sara Gonzalez; Oscar Garza; Gonzalo Serrano; Sushma Smith
Subject: Voter ID Working Group: Yup, it's back.

Voter ID working group: (yes, you thought this group was dead. How silly of you)

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Either of these two instructions would probably be voted down, if only because Democrats make the motion. Even if Fraser takes the amendments, I'm guessing they would not appear in the final conference report. Either way, there is some message and legal value to making the effort.

I recommend that we at least maintain our boss' ability to offer these instructions when it comes up next week, so is somebody willing to get council to draft them?

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Thursday, January 27, 2011 2:28 PM
Subject: DEM CAUCUS: Attn Senators, Leg Dir's, Chiefs

I wanted to send this to the entire list instead of just the voter ID working group list, because a lot of the Senators and Chiefs are not on the working group list. I also added Senators who are not generally on the regular Democratic Caucus distribution list.

I don't think I have ever seen the Senate Democrats, and all their staff members, work better together, or create a better work product, than during this voter ID situation. I also haven't seen so many legislative staff put in such long grueling hours and be so productive this early in a legislative session. And I've never seen smarter work out of everybody involved.

There wasn't a weak moment in the process, nor a weak link in the team, elected or staff. In hindsight, Lt. Governor Dewhurst may have made one tactical miscalculation in calling this up so early. Since there were no committee hearings competing for Senator and staff time, Senators' attentions weren't as divided as they would normally be, and it was amazing to watch what these people can accomplish when they have the time to focus in on one issue for a few days.

I'm always saying that if you can't win, you have to lose right. That is even more important in a situation which is sure to end up in the Federal courts and at the Department of Justice for serious review. The Senate Democrats did everything they needed to do, and did it better than ever. And without exception the staff members assigned to this issue made our bosses proud.

Thank you for a job very well done.

Jason Hassay

From: Oscar Garza
Sent: Wednesday, January 26, 2011 2:54 PM
To: Amber Hausenfluck; 'hc@haroldcook.com'; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; 'GLKeever@aol.com'; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; 'larawendler@sbcglobal.net'; Gonzalo Serrano; Sushma Smith
Subject: Updates on Hinojosa's Amendments

1. Patrick is going to co-author our CHL amendment. They also wanted to specify that it must be a Texas CHL, which ours did but whatever.
2. Also, our amendment in regards to the notification requirements that expired in 2013 (which we originally wanted to continue forever) has now been changed to 2017. Fraser brought that to us. Hinojosa agreed.

That's it for now.

Oscar

Sent via BlackBerry

----- Original Message -----

From: Amber Hausenfluck
To: Harold Cook <hc@haroldcook.com>; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever <GLKeever@aol.com>; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler <larawendler@sbcglobal.net>; Gonzalo Serrano; Oscar Garza; Sushma Smith
Sent: Wed Jan 26 13:37:48 2011
Subject: Betty King Room

Senator Van de Putte just called me. She said to advise all of you to get to the Betty King Room now with all of your Vote ID stuff.

Thanks,

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

-----Original Message-----

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Tuesday, January 25, 2011 3:42 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: reward

I'll buy a round of drinks for the Senator who forces that witness to say "I would have to defer to the Indiana Secretary of State for that answer." :)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Jason Hassay

From: Graham Keever on behalf of Graham Keever_SC
Sent: Wednesday, January 26, 2011 10:10 AM
To: Jason Hassay; Graham Keever_SC; Harold Cook
Subject: RE:

Well that's the real question. Are they going to do it Thursday, or tonight at 9:20? I also didn't really understand the vote to take it up as a special order, I thought it was already a special order. Honestly, I wasn't even sure from reading the rules how the Committee of the Whole was to operate. For example, most committees about rules about things like bill analyses and fiscal notes. COW operates under senate rules, as applicable or something. So it's a committee, but it's not a committee . . . water under the bridge, except for the question about whether I will be on the floor at midnight tonight.

-----Original Message-----

From: Jason Hassay
Sent: Wednesday, January 26, 2011 9:52 AM
To: Graham Keever_SC; Harold Cook
Subject: RE:

Great question Graham.

Not sure I have this right but here is how I understood it.

Obviously SB 14 passed out of COW, 20-12. They then voted to take it up as a special order or special something (basically allowing them to take it up first thing after it was laid out for 24 hours). It passed 19-12. So to the world it looks like the bill will be read a second time at 9:20pm.

From the sound of it they will take things up on Thursday, where we will have a chance to add amendments.

Then move to third reading and final passage.

Thanks.

-Jason

Jason Hassay
Chief of Staff & General Counsel
Office of Senator Carlos I. Uresti
512-463-0119 phone
512-463-1017 fax

-----Original Message-----

From: Graham Keever On Behalf Of Graham Keever_SC
Sent: Wednesday, January 26, 2011 9:29 AM

To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE:

Anyone care to review procedurally what happened at the end last night? I am just trying to avoid cracking the rule book to refresh my memory.

-----Original Message-----

From: Harold Cook [mailto:hc@haroldcook.com]

Sent: Tuesday, January 25, 2011 8:50 PM

To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject:

for the next pro-bill witness who says this is happening now, for whoever is annoyed with it:

1. so you're sure this voter fraud is happening now?
2. do you agree with others who have testified that only a few such fraudulent votes can effect the outcome of an election?
3. are you aware that Republicans won virtually every close election in the state of Texas last November?
4. extending your logic, you seem to be testifying that the some Republicans somewhere may have won based on fraudulently-cast votes on behalf of Republican candidates, right?

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 7:21 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: witness question

Here's a good question for Ann:

She's said they're spending \$3 million per election cycle in educating voters, in a situation where there isn't a major change to the process to vote.

But she's estimated that it will cost \$2 million - a full million less - to educate voters on a big change?

Jason Hassay

From: Debra Gonzales
Sent: Tuesday, January 25, 2011 6:49 PM
To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendment and talking points
Attachments: SUSPENDED temporary driving permits tp's.doc; Suspended DL.doc; DIC-25(2).pdf

Hey Guys,

I thought I'd give you guys our T.P.'s and amendment language since my boss mentioned this more than once on the floor.

This adds into Section 12, Suspended Temporary Driver License Permits, which are.....drum roll.....confiscated. The DPS form attached is given by officers to arrested individuals for certain offenses involving intoxication and driving. It serves as a temporary driver license, and contain no photo and is valid for 40 days. If a judge has not ruled on your case then it is still valid, but appears expired except for a small sentence in the box. But in Harris County, courts are back up for months and court dates are reset numerous times.

Thus, here is a DL by DPS that does not contain a photo and is valid when it appears expired.

Hope that helps

Debbie Downer

From: Harold Cook [hc@haroldcook.com]
Sent: Tuesday, January 25, 2011 3:41 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject:

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 4:59 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: This witness - Dr. Tijerina

Our witness, Dr. Andres Tijerina, has no suggested questions in the previously-distributed suggested questions I emailed last night, because I had not had the opportunity to talk with him until today.

He would like to be asked the following:

1. Is there any evidence that otherwise-innocuous or beneficial election laws may have actually had the intent to disenfranchise Mexican-American voters?
2. Is there any evidence that old historical discriminatory actions are relevant or applicable today?

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 3:22 PM
To: Amber Hausenfluck
Cc: Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Re: Republican witness list

He's completely unqualified to be an expert witness anyway.

On Jan 25, 2011, at 3:20 PM, Amber Hausenfluck wrote:

Terry Seibert didn't show up. Mr. Ward brought another gentleman to testify, but we don't know that gentleman's name of if he will actually testify.

Sent from my iPad

On Jan 25, 2011, at 8:45 AM, "Harold Cook" <hc@haroldcook.com<mailto:hc@haroldcook.com>> wrote:

Begin forwarded message:

From: Amber Hausenfluck
<<mailto:Amber.Hausenfluck@senate.state.tx.us>Amber.Hausenfluck@senate.state.tx.us<mailto:Amber.Hausenfluck@senate.state.tx.us>>
Date: January 25, 2011 8:28:35 AM CST
To: "<mailto:hc@haroldcook.com>hc@haroldcook.com<mailto:hc@haroldcook.com>"
<<mailto:hc@haroldcook.com>hc@haroldcook.com<mailto:hc@haroldcook.com>>
Subject: Fwd: Invited Testimony

Sent from my Samsung Epic™ 4G

From: Servando Esparza
<<mailto:Servando.Esparza@senate.state.tx.us>Servando.Esparza@senate.state.tx.us<mailto:Servando.Esparza@senate.state.tx.us>>
Date: January 25, 2011 8:26:47 AM CST
To: Amber Hausenfluck
<<mailto:Amber.Hausenfluck@senate.state.tx.us>Amber.Hausenfluck@senate.state.tx.us<mailto:Amber.Hausenfluck@senate.state.tx.us>>
Subject: Invited Testimony

Invited Testimony

Sen. Fraser

- Jerry Bonnett, General Counsel, Indiana Secretary of State
- Christian Ward, YetterColeman LLP
- Terry Siebert, Texas Watchdog

Sen. Van de Putte

- Luis Figueroa, MALDEF
- Gary Bledsoe, NAACP
- Andres Tijerina, Professor of Texas History
- Chase Bearden, Advocate for People with Disabilities

Resource Witness Panel

- David Maxwell, Deputy Director of Law Enforcement, Office of the Attorney General
- Ann McGeehan, Director of Elections, Secretary of State's Office
- Rebecca Davio, Assistant Director for Drivers Licenses, Department of Public Safety

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 3:18 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: On point for this witness

- **We now know that Indiana's law has actually disenfranchised real citizens.** In contrast, no party or *amicus* cited even one case of impersonation at the polls in Indiana to the Supreme Court. In fact, **more real Hoosiers have been disenfranchised by the law in the last four years than the number of reported cases of impersonation at the polls cited to the Supreme Court - from anywhere in the country - in the last two decades.** For example, in limited-turnout local elections in Marion County, Ind. in 2007, 32 voters cast ballots that could not be counted because of the voter ID law. **Moreover, these were long-time voters: 14 of them had previously voted in at least 10 elections.**
<http://www.brennancenter.org/page/-/Democracy/%20ID-related%20stats.pdf>

Also - voter ID supporters claim the voter ID law actually increased participation, which is absurd - what increased participation is voter excitement about Obama's candidacy.

Jason Hassay

From: Micah Rodriguez
Sent: Tuesday, January 25, 2011 2:49 PM
To: Jason Hassay; jhassay@gmail.com
Subject: FW: HHSC Interim Charge #1 Letter to Sen. Nelson and Sen. Duncan
Attachments: 82nd Session Letter to State Affairs and HHS Final (3).doc

Lucio, Van de Putte, Zaffirini, Ellis, and West have all agreed to sign.

Micah Rodriguez, JD
Policy Analyst
Office of Sen. Carlos Uresti
Phone: 512-463-0119
Fax: 512-463-1017
Email: micah.rodriguez@senate.state.tx.us

 Please consider the environment before printing this e-mail

From: Micah Rodriguez
Sent: Monday, January 24, 2011 11:07 AM
To: 'Carlos Uresti'
Subject: HHSC Interim Charge #1 Letter to Sen. Nelson and Sen. Duncan

Senator,

Here is that letter I mentioned to you last week that Anne Dunkelberg with CPPP was helping out with. I will put a hard copy in the front pocket of your binder as well.

I looked it over, and it looks good to me. Thus far Lucio and Van de Putte have agreed to sign.

Please let me know what you want to do or if you need any more info and I will coordinate with staff.

Thanks Senator,

Micah Rodriguez, JD
Policy Analyst
Office of Sen. Carlos Uresti
Phone: 512-463-0119
Fax: 512-463-1017
Email: micah.rodriguez@senate.state.tx.us

 Please consider the environment before printing this e-mail

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 2:32 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: follow-up on Zaffirini's identity issue

Senator Zaffirini did an excellent job pointing out how people's drivers license photo often does not resemble the actual people. Here's related documentation.

Begin forwarded message:

From: Yannis Banks <yannis_banks@yahoo.com>
Date: January 25, 2011 2:27:02 PM CST
To: hc@haroldcook.com
Subject: Fw: Blank 33

----- Forwarded Message -----

From: Gary Bledsoe <garybledsoe@sbcglobal.net>
To: "Asaka, Anson" <aasaka@naacpnet.org>
Cc: Robert S. Notzon <robert@notzonlaw.com>; Yannis Banks <yannis_banks@yahoo.com>; Harold Howell <harold17@swbell.net>; "Hiefferson@protectorsinsurance.com" <hiefferson@protectorsinsurance.com>; brian rowland <browland3@hotmail.com>; "Goode, Victor" <vgood@naacpnet.org>; victor goode <vlq0208@aol.com>; Mrs. Linda Lydia <llydia@sbcglobal.net>; Phyllis L. Jones <twainch@embarqmail.com>; "Watkins, Carmen" <cwatkins@naacpnet.org>; Carolyn Scantlebury <cscantle01katrina@yahoo.com>; John Tanner <john.k.tanner@gmail.com>
Sent: Tue, January 25, 2011 2:23:47 PM
Subject: Re: Blank 33

Race, Racism and the Law
Speaking Truth to Power!!

Why are Cross-Racial Eyewitness IDs Especially Unreliable?

Checkout: Reclamationgallery.com

Complete Survey: Race Relations 2011

UNITS
Institutional Racism
01 Race
02 Citizenship Rights
03 Justice

**John P.
Rutledge**

excerpted from: John

**Submit for Periodic
Updates
[Update List](#)**

CHAPTERS
Justice and Racism

04 Basic Needs

05 Intersectionality

06 Worldwide

Web Editor

Vernellia R.

Randall

Professor of Law

The University of

Dayton

OTHER WEBSITES

Personal Website

Race and Health Care

Legal Education

The ID Project

P. Rutledge, They All

Look Alike: the

Inaccuracy of Cross-

racial Identifications ,

28 American Journal

of Criminal Law 207-

228, 211-214 (Spring

2001)(173 Footnotes

Omitted)

In general, there is

a much greater

possibility of error

where the races

are different than

where they are the

same

A cross-racial ID

occurs when an

eyewitness of one

race is asked to

identify a

particular

individual of

another race. The

last half-century's

empirical study of

cross-racial IDs

has shown that

eyewitnesses have

difficulty

identifying

members of

another race,

though the degree

to which this

difficulty affects

the accuracy of an

eyewitness ID is

Presidential Power

Civil Justice

Criminal Justice

Laws and Policies

Minority Group Interests

Legal Education

Practice of Law

Alternative Dispute Resol

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not certain.

Likewise, it is unclear whether all races are affected.

Known as the "own-race" effect or "own-race" bias, eyewitnesses experience the "cross-racial impairment" when attempting to identify individuals of another race. The "own-race effect" is "strongest when white witnesses attempt to recognize black subjects," and apparently less influential to black witnesses. In fact, four separate studies found that black eyewitnesses do not experience any cross-racial impairment. And another found that blacks make better witnesses in general. But five other studies

found that white
eyewitnesses
simply experience
the impairment
more often than
blacks. Regardless
of the degree to
which each race
suffers from the
impairment, a
leading scholar on
the subject has
concluded that "it
has been observed
so many times"
that "it seems to
be a fact."

Concern about the
frequent
inaccuracy of
cross-racial IDs is
extensively
documented in
case law and
social science
data. And some
judges believe the
cross-racial
nature of an
identification may
affect accuracy in
the same way as
proximity to the
perpetrator and
poor lighting
conditions. As one
federal judge

expressed more
than a decade
ago:

We are painfully
aware of
miscarriages of
justice caused by
wrongful
identification.

Those
experienced in
criminal trial work
or familiar with
the administration
of justice
understand that
one of the great
problems of proof
is posed by
eyewitness
identification,
especially in
cross-racial
identification

Likewise, a
prominent state
supreme court
judge discussed
the complexity of
the phenomena as
follows:

[I]t is well
documented that
cross-racial
identification is
less reliable than

identification of
one person by
another of the
same race.

Considerable
evidence indicates
that people are
poorer at
identifying
members of
another race than
of their own.

Adding the
commonly held
belief that blacks
are treated
disparately in the
criminal justice
system, it is easy
to see that the
problem is
complex and not
easily allocated for
or rectified.

And yet, this
wealth of social
science data and
abundance of case
law has yet to
inspire legal
scholars to
address the issue
directly. In fact, I
was unable to
locate a single law
review article that

deals exclusively
with the topic of
cross-racial IDs.
Hence, this article:
my contribution to
the dialogue. It
should be noted
that the article is
not meant to be
exhaustive.
Rather, it is
written as an
overview written
with the express
intent to inspire
contributions from
the scholastic
legal community.
The problem is
not going to
disappear. It must
be dealt with, as
the very integrity
of our criminal
justice system
depends upon its
resolution.

I first became
interested in the
subject matter
while working as a
student clinician
in law school. The
issue seemed to
arise in many of
the clinic's cases.
Granted, my

universe of
experience was a
bit atypical. I was
one of a handful
of white students
in my entering
class at Howard
University School
of Law. And most
of our clinic's
clients were black.
The high
concentration of
white victim/black
perpetrator cases
caused me to
consider many
issues, some
societal and some
interpersonal. One
of these issues
was the apparent
inaccurate
identification of
several of our
clients.

As a white
graduate of a
historically black
law school, I bring
a unique
perspective to the
discussion of
cross-racial IDs. I
believe my
experiences add a
valuable insight to

the central
question at hand:
Why do white
people have so
much trouble
correctly
identifying a black
person?

Several months of
research and
reflection on little
else but this topic
has led me to a
few conclusions.
These conclusions
are my own and
are not based
upon, or
necessarily
supported by,
empirical data.

By nature, people
are generally
homogenous. We
tend to prefer
those we are
familiar with,
those with whom
we identify. White
people tend to
prefer other
whites, as rich
people tend to
prefer the
company of others
with money. These

groups are not alone in that respect: black people generally feel most comfortable around other blacks and poor people around other poor people. There's a pre-established comfort level--a set of customs and mores already in place. The comfort level allows one to relax and live less deliberately.

Those of different races may have different customs and mores, different ideas of permissible speech, behavior, diet, and dress. The hair texture and styles of the various races is often different, as is facial and body structure. In light of these considerations, I believe the major

cause of the cross-racial impairment is the lack of familiarity with those of other races. We often work together, and at times eat together, but seldom do we live in the same neighborhoods or attend the same churches. These latter activities reflect, in my mind, our lack of comfort among those of other races. Sadly, it is a self-fulfilling cycle: comfort keeps us apart, and yet, living amongst each other would establish a comfort level. With this paradox as our communal mindset, familiarity is a difficult thing to achieve. How can one be expected to accurately identify a member

of a group with whom they are so utterly unfamiliar?

One of my colleagues has attacked my viewpoint as simplistic. He refuses to believe that familiarity with those of other races might alleviate the inaccuracy of cross-racial IDs.

As support for his contention, he cites various authorities that conclude, "counterintuitively, the ability to perceive the physical characteristics of a person from another racial group apparently does not improve significantly upon increased contact with other members of that race"

Ironically, I believe these findings

strengthen my
rationale as
expressed in the
analysis above.
Time spent in the
same general
location is not the
same as time
spent together.
Just as talking to
someone is not
necessarily
communicating
with that person. I
believe the entire
basis of these
findings is flawed.
Those
orchestrating the
studies confuse
commonality with
comfort. Like two
New Yorkers
passing on the
street, many of us
have never been
intimate with
someone of
another race. And
without intimacy,
we have no reason
to feel
comfortable. Nor
do we have the
right to expect an
accurate
eyewitness ID.

IN MY THREE YEARS
AT HOWARD, I
LEARNED SO MANY
THINGS THAT I DIDN'T
KNOW I DIDN'T
KNOW. I LEARNED
ABOUT LOCKS AND
CORNROWS, BRAIDS
AND FADES. I
LEARNED THE
DIFFERENCE
BETWEEN HIGH YELLA
AND RED-BONED
AND BROWN-
SKINNED AND DARK-
SKINNED. MY LIFE
EXPERIENCE DOES
NOT ALLOW ME TO
ACCEPT THE FINDING
THAT THESE
DISCOVERIES DO NOT
MAKE ME MORE
LIKELY TO CORRECTLY
IDENTIFY A BLACK
ASSAILANT THAN A
WHITE PERSON
WITHOUT A SIMILAR
EXPERIENCE.

IN THAT RESPECT, I
BELIEVE CROSS-
RACIAL IDS WILL
BECOME LESS OF A
PROBLEM AS
AMERICA MATURES
AND WE GET CLOSER
TO MARTIN LUTHER
KING JR.'S DREAM.

At this time,
however, the
unreliability of
cross-racial IDs is
particularly
troublesome. One
in three black
males between the
ages of twenty
and twenty-nine is
under judicial
supervision in this
country. And while
only five percent
of the U.S.
population, black
males make up
more than half of
America's
prisoners. We
must explore the
various measures
available to help
ameliorate the
harm caused by
inaccurate cross-
racial IDs.
Innocent people
have been, and
continue to be,
stripped of their
liberty simply
because "they all
look alike."

. Associate,
Donahue,
Gallagher, Woods

& Wood, L.L.P.;
L.L.M., Real
Property
Development,
University of
Miami School of
Law; J.D., Howard
University School
of Law (cum
laude); B.A.,
Philosophy, Loyola
Marymount
University. This
article is
dedicated to all
those falsely
imprisoned due to
an inaccurate
eyewitness
identification. Our
collective soul is
marred by your
injustice. And no
subsequent
remedy can repay
you for the pain
you've suffered or
the life you've
lost. However, let
us begin with an
apology and an
oath to never
again permit such
injustice.

Same [The Underlying Myths of Colorblindness Jurisprudence] [Presidential Power and Racial Justice]
level: [The McKinney Affair: Rampaging Racism and a Cowardly Caucus]
[Misusing MLK Legacy and the Colorblind Theory] ["Sounding Black": Court-

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 1:27 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: picking cucumbers

I don't think Frasier ever said where he was picking cucumbers, but if memory serves, he's from Big Spring Texas, in Howard County. The DPS license office that serves the county is open from 8:30-5 pm, M-F only. No hours open on Saturday. And, oh yeah, they close every day for lunch from 1-2 pm.

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 12:17 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: poll worker pay in the Pitts budget

There is a reduction of poll worker pay in the Pitts budget - from the current \$8.50 down to \$7.00. (it had been thought that it was a \$2 reduction before, but it is apparently \$1.50). Conclusion: poll workers aren't gonna be getting any smarter.

There is some confusion as to whether this applies to all elections or would only apply to Republican and Democratic Party primaries, but either way...not getting and smarter.

This may be a good question for the Secretary of State's office. Along with the other necessary questions Frasier has referred to them, involving issues of election processes and procedures, voter registration methods, the age of Senator West, and whether Frasier is wearing boxer or briefs.

Jason Hassay

From: Janis Reinken
Sent: Tuesday, January 25, 2011 11:02 AM
To: Jason Hassay
Subject: RE: some Q's maybe the Senator could use ...

If you can think of any info I can help you with, I'd be glad to try from "the wings." As you probably know, the potential voter fraud on election day is far less likely than in the registration process itself. Taking time to verify the voter's appearance and match it with the ID is going to slow down the voting process at the polls -- and lots of people don't look like the photo in their ID any more.....it's very subjective to expect the election worker to compare and verify facial recognition. The chances of someone presenting a voter certificate that is not theirs is basically miniscule -- truly, who would steal someone else's ID when there are many other things of monetary value a thief could use? Use of a family member's certificate by mistake is possible but is an error that can be caught by the election workers who can compare the date of birth on the card [and in the laptop if the precinct is using them] if Jr. happens to have Sr.'s voter certificate and ask if they have the correct certificate.

*Janis Reinken, Attorney
 Chief of Staff
 Office of the Honorable Ruth Jones McClellendon
 State Representative, House District 120
 Capitol Building, 35.2
 P. O. Box 2910
 Austin, Texas 78768
 512.463.0708*

From: Jason Hassay
Sent: Tuesday, January 25, 2011 10:36 AM
To: Janis Reinken
Subject: RE: some Q's maybe the Senator could use ...

Thanks Janis.

Appreciate it.

From: Janis Reinken
Sent: Tuesday, January 25, 2011 10:11 AM
To: Jason Hassay
Subject: some Q's maybe the Senator could use ...

Q 1) how do you reconcile the fact that the address on the DL is only renewed every 6 years, and not everyone complies with the present requirement to update their address within 30 days if they move? The voter registration certificates are updated more frequently than that. [Should Texas have a requirement that DL's be updated every 2 years?]

Q 2) it is troublesome that the DL or Photo ID is not a requirement for anyone to reside legally in this state; there is no requirement that every adult be a licensed vehicle driver and there is no requirement that every adult must have a photo ID -- so why would a DPS-issued photo ID or DL be a prerequisite for voter registration?

Why not have the photo ID on the voter registration certificate so that voters do not have to have a DPS-issued ID given that there is no requirement to have one?

Why not have the DPS be in charge of automatic voter registration if someone obtains a DL or Photo ID from the DPS?

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Tuesday, January 25, 2011 7:45 AM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: VID Working Group; chat room

Folks, there were only 3 people who expressed enough interest to give me screen names to set up a chat room. Since there isn't critical mass, for any info I provide, I would need to send through multiple means to get the info out, so the chat room idea will actually slow us down.

So I think we should just do this over email, using this distribution. If anybody needs to be added to this distribution for today, please let me know.

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Monday, January 24, 2011 10:58 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: VID Working Group: IMPORTANT - questions to the Democratic witnesses
Importance: High

Below are the questions for our invited testimony - Gary Bledsoe (NAACP), Chase Bearden (Coalition for Texans with Disabilities), and Luis Figueroa (MALDEF). Dr. Andres Tijerina (TX History Professor) is giving more of a history lesson of minority disenfranchisement, so there are no questions advanced for Dr. Tijerina. Some may occur to members in the course of his testimony.

Keep in mind that since there is a time limit on invited testimony of 10 minutes, any leading questions asked by a Senator will extend our witnesses time.

Questions for Gary L. Bledsoe (Texas NAACP)

Q. Some say the Voting Rights Act is no longer needed is a thing of the past that is no longer needed in Texas. Can you cite examples or give reasons that show why we still need voting rights protections?

Q. Is there a well-documented history of voter suppression that is specifically related to race and ethnicity, and how would this Voter ID law fit into that history?

Q. How would this Voter ID law discriminate against people of color?

Q. If the Legislature exempts certain classes of voters, like seniors, from this bill, would that direct an even greater amount of its potential to disenfranchise voters at African Americans and Hispanics?

Q. Did you see the materials the Attorney General used in his highly publicized 2005-2006 campaign against "Voter Fraud"?

Q. In his anti-Voter Fraud campaign, the Attorney General used materials that included images of sickle cell stamps and photos of African Americans to illustrate signs of voter fraud – what does that tell you about the state's attitude and enforcement of voter fraud, and did the conduct and targets of Abbott's prosecutions fit into a pattern of vote suppression in Texas?

Q. Gary, you suggest a photo ID law would suppress African American turnout, but some Voter ID advocates claim Voter ID laws do not suppress turnout, and even claim turnout increases in Indiana and Georgia in 2008 were caused by Voter ID laws, compared to 2004 turnout when there was no photo ID law in those states. Obviously, turnout can vary a lot between election cycles based on enthusiasm, candidates, and other factors. Did African American turnout in Texas increase in 2008 without a Voter ID law, and do you think the reason might be the same as the real reason for reports of higher turnout in Indiana and Georgia?

Questions for Luis Figueroa, MALDEF

Q. Could you compare the legislation before us to the corresponding legislation passed in Indiana, Georgia, and Arizona?

Q. Could you go over any implementation issues or challenges of the voter ID law in Arizona, and how the law may have disenfranchised Latino voters?

Q. What do you believe the net impact of voter ID legislation on Latino voters is?

Q. Are Latino voters less likely to have the identification required by the bill? Why?

Q. Have Latino voters experienced a history of disenfranchisement in Texas? Might this longstanding history contribute to a distrust of the electoral system, and thus contribute to lowering voter turnout among this ethnicity, even among those who might possess the required identification?

Questions for Chase Bearden (Coalition of Texans with Disabilities)

Q. Are people with disabilities less likely to have a current drivers license, military ID, or passport? If so, why?

Q. What additional barriers do people with disabilities have in obtaining the forms of ID requested by this bill?

Q. Would the voter identification required in this bill be sufficient to ensure access to accurate information about this new ID requirement information for the full range of people with disabilities in our state?

Q. What affect do you believe SB 14 would have on turnout of voters with disabilities?

Q. Could SB 14 negatively impact any voters who have a photo ID?

Q. What affect do you believe SB 14 would have on the number of provisional ballots cast by voters with disabilities? What barriers are in place that would make it difficult for people with disabilities to return to the election office to cure a provisional ballot?

Q. What are the most pressing issues reported by voters with disabilities? And, does SB 14 address any of these issues?

Q. Are there any issues affecting Texans with disabilities that would better utilize the funds required to implement SB 14?

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Monday, January 24, 2011 10:03 PM
To: Jason Hassay
Subject: Re: Suggested Q and A for Republican witnesses

ok, first the suit on Friday, and now the "sir." Are you sure you're a Democrat? :)

On Jan 24, 2011, at 10:01 PM, Jason Hassay wrote:

Thank you sir.

Jason Hassay
Chief of Staff & General Counsel
Office of Senator Carlos I. Uresti
512-463-0119 phone
512-463-1017 fax

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Monday, January 24, 2011 9:57 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Suggested Q and A for Republican witnesses

Q. and A. for Republican Witnesses

1. You say the law in Indiana is working...in the Supreme Court case, no party or amicus cited even one case of impersonation at the polls in Indiana to the Supreme Court. Would it surprise you to learn that more Indiana voters have been disenfranchised by the law in the last four years than the number of reported cases of impersonation at the polls cited to the Supreme Court – or from anywhere in the country - in the last two decades?

- In limited-turnout local elections in Marion County, Ind. in 2007, 32 voters cast ballots that could not be counted because of the voter ID law. **Moreover, these were long-time voters: 14 of them had previously voted in at least 10 elections.**
- **At least 10 retired nuns in South Bend, Ind., were barred from voting in the 2008 Indiana Democratic primary election because some of them were in their 80's and 90's and no longer had driver's licenses. The supreme irony was that the nuns whose votes can't be accepted by a bunch of nuns because they don't have an ID...live with them in the polling place in their convent.**
- At least six other people also were relegated to filing provisional ballots. Among them was Lauren McCallick, an 18-year-old freshman at St. Mary's College in South Bend, who said she got "teary-eyed" and then angry at being rejected the first time she was old enough to vote.

2. You and other voter ID advocates cite "studies" that attempt to show Voter ID laws do not suppress turnout, and even try to claim turnout increases in Indiana and Georgia were caused

by **Voter ID laws**. These "studies" compare turnout between election cycles - between 2002 and 2006 or 2004 and 2008. Obviously, turnout can vary a lot between election cycles based on enthusiasm, candidates, and other factors.

- a. Honestly, **isn't the real cause for the 2008 turnout increase in Indiana really all about Barack Obama and John McCain and the excitement they generated and resources they spent in a state that wasn't even competitive in 2004?**
- b. Wouldn't a more valid analysis compare states with and without Photo ID requirements, over a period spanning several election cycles or the same national election cycle?

3. **How do you explain the fact that every time a thorough independent study looks into claims made repeatedly by Voter ID supporters that suggest thousands of dead people or non-citizens are registering and possibly voting, those claims are, without exception, proven to be wildly off base?**

(See briefing paper on Unsubstantiated GOP Claims for answer/facts)

4. **You have mentioned the Indiana experience, but even Appeals Judge Posner, an outspoken conservative appointee, said in his opinion upholding the Indiana photo ID law: "No doubt most people who don't have photo ID are low on the economic ladder and thus, if they do vote, are more likely to vote for Democratic than Republican candidates. Thus the new law injures the Democratic Party by compelling the party to devote resources to getting to the polls those of its supporters who would otherwise be discouraged by the new law from bothering to vote." His comment seems to illustrate why Republicans use voter fraud claims to justify vote suppression activities that date back decades and continue today. Do you have any evidence of systematic voter fraud to contradict findings from academic studies that suggest the only real reason for the photo ID push is to provide Republicans a partisan advantage?**

(See briefing paper on GOP Power Grab for answer/facts)

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Monday, January 24, 2011 9:54 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: A really good question for the Sec of State's office

I know Davis was interested in questioning SOS earlier, so for her info (or for whoever is ultimately questioning the Sec of State's office), Laurie just forwarded this from 2 years ago, in which only 81 counties have websites (which are apparently required under the bill).

I just re-counted, and they still only have 81 counties listed, which means that according to the chief elections officer in Texas, **173 counties would be unable to comply with the requirements of the law.**

Begin forwarded message:

From: Laurie Vanhooose <austintransplant@gmail.com>
Date: January 24, 2011 9:42:25 PM CST
To: Harold Cook <hc@haroldcook.com>, Amber Hausenfluck <Amber.Hausenfluck@senate.state.tx.us>
Subject: Counties that have websites

When I was going through old emails I found this one from last time we debated voter ID. We should include a question asking the SOS the number of counties that have websites because the bill states that as part of voter education the county will list the new requirements on their website. If a county doesn't have a website.....

Date: Wed, 04 Mar 2009 17:13:02 -0000
To: <txelectionreform@yahoogroups.com>
Subject: [txelectionreform] County web sites as reported by SOS

Here is the list of county websites the SOS has on their site
<http://www.sos.state.tx.us/elections/voter/links.shtml#County>

There are 81 counties listed on this page. I don't know which ones are missing but if this is accurate then 173 don't have one.

Jason Hassay

From: Dan Buda
Sent: Monday, January 24, 2011 9:53 PM
To: Jason Hassay
Subject: RE: Amendments
Attachments: SB 14 amendment - nursing home exemption.pdf; SB 14 amendment - nursing home exemption.doc

Here's the drafts for the nursing home exemption. Haven't gotten the 65+ one back yet.

Dan Buda
Chief of Staff
State Senator Wendy Davis
(512)463-0110
dan.buda@senate.state.tx.us

From: Jason Hassay
Sent: Monday, January 24, 2011 9:50 PM
To: Dan Buda
Subject: RE: Amendments

I appreciate it Dan.

If you don't mind releasing those or sharing those with us I will be sure to share with the Senator he would have the option to possibly sponsoring the amendment.

You are doing some great work my friend. Keep it up.

-Jason

Jason Hassay
Chief of Staff & General Counsel
Office of Senator Carlos L. Uresti
512-463-0119 phone
512-463-1017 fax

From: Dan Buda
Sent: Monday, January 24, 2011 9:48 PM
To: Jason Hassay
Subject: RE: Amendments

Definitely - we're reconvening in the office pretty early tomorrow, so we should have it all sorted out then. I'll let you know. Also, if we don't offer one or either of these, let me know if you'd want to have your boss offer them. I don't imagine Wendy wanting to offer all of the dozen-ish amendments we drafted.

Dan Buda
Chief of Staff
State Senator Wendy Davis
(512)463-0110
dan.buda@senate.state.tx.us

From: Jason Hassay
Sent: Monday, January 24, 2011 9:46 PM

To: Dan Buda
Subject: RE: Amendments

Dan,

If you do either of these I would like to have Uresti sign on:

Summary: Exemption for Nursing Homes

- Exempts those from ID requirements if affidavit is signed claiming the voter lives in nursing homes or residential care facility

Summary: Exemption for those 65+

Voters 65 years or older are allowed to use expired drivers licenses as proof of identification to vote

Jason Hassay
Chief of Staff & General Counsel
Office of Senator Carlos I. Uresti
512-463-0119 phone
512-463-1017 fax

From: Dan Buda

Sent: Monday, January 24, 2011 9:10 PM

To: Sara Gonzalez; Amber Hausenfluck; David Edmonson; Graham Keever_SC; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: RE: Amendments

Attached is a list of summaries for Davis amendments. Still not decided on which ones we're going to offer.

Dan Buda
Chief of Staff
State Senator Wendy Davis
(512)463-0110
dan.buda@senate.state.tx.us

From: Sara Gonzalez

Sent: Monday, January 24, 2011 9:00 PM

To: Amber Hausenfluck; David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: RE: Amendments

Lucio is still going with the ones I sent earlier. Attached are some one-pagers on what they do.

From: Amber Hausenfluck

Sent: Monday, January 24, 2011 7:52 PM

To: David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: RE: Amendments

Senator Van de Putte is interested in the following:

1. 2 alternative forms of ID (taken from SB 382 from the 81st)

2. Changes in the law do not take effect unless the comptroller determines that the legislature has appropriated the amount of money appropriate entities that is necessary to fully fund the implementation of this Act. The Changes in law do not take effect unless the Secretary of State has received certification from every county that they have completed the training and outreach designated in SB 14.
3. Mandating the poll workers check ID's for the sole purpose of identity and not to check where one lives

The talking points for the above amendments are attached.

I will bring the other amendments Senator Van de Putte had drafted to the floor tomorrow in case anyone wants to offer any of them.

Thanks,

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: David Edmonson

Sent: Monday, January 24, 2011 6:14 PM

To: Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: RE: Amendments

Sen. Ellis is still going with the three I outlined yesterday. A few staffers have talked to me about their boss signing on to one of the amendments. **If your boss is interested in signing on, have them talk to Ellis tomorrow morning to physically sign the amendment.**

I've attached the text and a Q&A for each amendment as background. Thanks

David

From: Graham Keever **On Behalf Of** Graham Keever_SC

Sent: Monday, January 24, 2011 6:02 PM

To: Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Amendments

As of right now, we're running with the Medicare card amendment only.

Jason Hassay

From: Oscar Garza
Sent: Monday, January 24, 2011 9:00 PM
To: Amber Hausenfluck; David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Sushma Smith
Subject: Another Probable Hinojosa Amendment

Section 9 of the bill (starting on page 5, line 24) relates to providing notice of identification requirements to certain voters.

Is basically states that if a person is turned down due to insufficient identification they must be provided documentation on what are acceptable forms of identification as well as how to obtain a free ID.

This is not a problem except for the Sunset provision that makes the section expire on September 1, 2013.

We have drafted language to remove that provision by deleting Line 7 on page 6 which will require this practice to be ongoing.

Thanks,

Oscar Garza
Legislative Assistant
Senator Juan "Chuy" Hinojosa
(512) 463-0120

From: Amber Hausenfluck
Sent: Monday, January 24, 2011 7:52 PM
To: David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments

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3. Mandating the poll workers check ID's for the sole purpose of identity and not to check where one lives

The talking points for the above amendments are attached.

I will bring the other amendments Senator Van de Putte had drafted to the floor tomorrow in case anyone wants to offer any of them.

Thanks,

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: David Edmonson

Sent: Monday, January 24, 2011 6:14 PM

To: Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: RE: Amendments

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I've attached the text and a Q&A for each amendment as background. Thanks,

David

From: Graham Keever **On Behalf Of** Graham Keever_SC

Sent: Monday, January 24, 2011 6:02 PM

To: Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Amendments

As of right now, we're running with the Medicare card amendment only.

Jason Hassay

From: Sara Gonzalez
Sent: Monday, January 24, 2011 9:00 PM
To: Amber Hausenfluck; David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments
Attachments: TALKING POINTS ON AMENDMENT REQUIRING NOTICE OF VOTER ID REQUIREMENTS TO WOMEN WHEN RECEIVING MARRIAGE CERTIFICATE.docx; TALKING POINTS ON AMENDMENT ALLOWING THE USE OF AN EXPIRED ID.docx; TALKING POINTS ON AMENDMENT CHANGING THE PHOTO ID REQUIREMENTS OF THE BILL TO THE SAME USED FOR ACQUIRING A DRIVERS LICENSE.docx; TALKING POINTS ON AMENDMENT REQUIRING ALL POSTINGS TO BE IN BOTH ENGLISH AND SPANISH.docx

Lucio is still going with the ones I sent earlier. Attached are some one-pagers on what they do.

From: Amber Hausenfluck
Sent: Monday, January 24, 2011 7:52 PM
To: David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments

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Thanks,

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1 610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: David Edmonson
Sent: Monday, January 24, 2011 6:14 PM
To: Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will

Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: RE: Amendments

Sen. Ellis is still going with the three I outlined yesterday. A few staffers have talked to me about their boss signing on to one of the amendments. **If your boss is interested in signing on, have them talk to Ellis tomorrow morning to physically sign the amendment.**

I've attached the text and a Q&A for each amendment as background. Thanks,

David

From: Graham Keever **On Behalf Of** Graham Keever_SC

Sent: Monday, January 24, 2011 6:02 PM

To: Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Amendments

As of right now, we're running with the Medicare card amendment only.

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Monday, January 24, 2011 8:47 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Cc: Laurie Vanhooose; Luis Figueroa
Subject: Questions to Frasier - MALDEF

The following are questions MALDEF hopes Senate Democrats will ask Senator Frasier tomorrow morning:

1. What is the voter required to present in order to receive the free personal identification certificate under Section 18 bill? Is a person required to present a birth certificate or other types of identification to receive the "free" identification?
2. Why were student id's omitted from the list of acceptable documentation? Why were birth certificates omitted from the list?
3. Are there any provisions to allow students who have out of state identification or who have different addresses on their DL and voter registration certificate to be able to vote a regular ballot?
4. Are there any provisions in the bill to accommodate a voter that has a different address on their voter registration card and their photo ID?
5. If a voter returns to the elections department to cure their provisional ballot, what are they expected to show as identification to ensure that their provisional ballot is counted?
- 6.) Are there any provisions to accommodate or address eligible voters whose last name on their driver's license does not match their voter registration, such as recently married women?
- 7) To implement this legislation, the state must put in substantial money for training and extensive public education. How is this bill funded?
- 8) Why is a voter only allowed to return with 6 days rather the 10 day requirement in Indiana?
- 9) Would you agree that Texas has more larger proportion of minorities demographically than Indiana?
- 10) Texas is a covered jurisdiction under section 5 of the Voting Rights because of its history of discrimination right?
- 11) Have any studies been done in Texas determine the impact of this bill on Latino and African

American voters?

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Jason Hassay

From: Amber Hausenfluck
Sent: Monday, January 24, 2011 7:52 PM
To: David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments
Attachments: Matching Address Amendment.doc; Funded & Certified Amendment.docx; 2 forms of ID Amendment.docx

Senator Van de Putte is interested in the following:

1. 2 alternative forms of ID (taken from SB 382 from the 81st)
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The talking points for the above amendments are attached.

I will bring the other amendments Senator Van de Putte had drafted to the floor tomorrow in case anyone wants to offer any of them.

Thanks,

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: David Edmonson
Sent: Monday, January 24, 2011 6:14 PM
To: Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments

Sen. Ellis is still going with the three I outlined yesterday. A few staffers have talked to me about their boss signing on to one of the amendments. **If your boss is interested in signing on, have them talk to Ellis tomorrow morning to physically sign the amendment.**

I've attached the text and a Q&A for each amendment as background. Thanks,

David

From: Graham Keever **On Behalf Of** Graham Keever_SC

Sent: Monday, January 24, 2011 6:02 PM

To: Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Amendments

As of right now, we're running with the Medicare card amendment only.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Jason Hassay

From: Micah Rodriguez
Sent: Monday, January 24, 2011 7:14 PM
To: Jason Hassay
Subject: FW: Senate Districts w/DPS stats
Attachments: Senate District no DPS.docx

Micah Rodriguez, JD
Policy Analyst
Office of Sen. Carlos Uresti
Phone: 512-463-0119
Fax: 512-463-1017
Email: micah.rodriguez@senate.state.tx.us

 Please consider the environment before printing this e-mail

From: Amber Hausenfluck
Sent: Monday, January 24, 2011 6:05 PM
To: Dan Buda; Debra Gonzales; Harold Cook; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Senate Districts w/DPS stats

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: Dan Buda
Sent: Monday, January 24, 2011 5:39 PM
To: Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Side by Side Comparison of SB 362 and SB 14

And this is a brief comparison of SB 14 vs. Indiana Voter ID law.

Dan Buda
Chief of Staff
State Senator Wendy Davis
(512)463-0110
dan.buda@senate.state.tx.us

From: Debra Gonzales
Sent: Monday, January 24, 2011 5:34 PM
To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar

Garza; Sushma Smith

Cc: Sean Abbott_SC; Lesley Nelson; MaryAnn Carrion

Subject: Side by Side Comparison of SB 362 and SB 14

Here it is....I haven't even read it yet...

Debra Gonzales

Legislative Director

Senator Gallegos

512-463-0106 office

512-463-0346 fax

LEGISLATIVE CONFIDENTIAL - ATTORNEYS' EYES ONLY

Jason Hassay

From: Steve Scheibal
Sent: Monday, January 24, 2011 6:54 PM
To: David Edmonson; Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments
Attachments: voter id amendment_penalties.doc; voter id amendment_Ogden.doc

Senator Watson is planning on carrying the two amendments discussed yesterday -- one tightening penalties on those who engage in voter fraud and intimidation, and the other being the Ogden Amendment from last session. They're attached.

From: David Edmonson
Sent: Monday, January 24, 2011 6:14 PM
To: Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments

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I've attached the text and a Q&A for each amendment as background. Thanks.

David

From: Graham Keever **On Behalf Of** Graham Keever_SC
Sent: Monday, January 24, 2011 6:02 PM
To: Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Amendments

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Jason Hassay

From: David Edmonson
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To: Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments
Attachments: 82R6229 DISPARATE IMPACT REPORT.doc; Disparate Impact Report Q&A.doc; 82R6133 - election day registration amendment.doc; Election Day Registration Q&A.doc; 82R6230 TWO YEAR SUNSET.doc; Two Year Sunset Q&A.doc

Sen. Ellis is still going with the three I outlined yesterday. A few staffers have talked to me about their boss signing on to one of the amendments. **If your boss is interested in signing on, have them talk to Ellis tomorrow morning to physically sign the amendment.**

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Subject: Amendments

As of right now, we're running with the Medicare card amendment only.

Jason Hassay

From: Oscar Garza
Sent: Monday, January 24, 2011 6:12 PM
To: Graham Keever_SC; Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Sushma Smith
Subject: Probable Hinojosa Amendment

Hinojosa is still uncertain but we drafted the following and contains two parts:

Part 1

We add (5) a voter's voter registration certificate containing the voter's photograph under Section 12.

Part 2

There will also be a newly created section that allows for counties to put a photograph on a voter registration card if the commissioners court chooses to do so. It reads as follows:

Sec. 15.0025. PHOTOGRAPH ON CERTIFICATE. The commissioners court of a county may authorize the county elections administrator or the county clerk, as applicable, to issue voter registration certificates that include a photograph of the voter and that may be used as proof of a voter's identification under Chapter 63.

Thanks,

Oscar Garza
Legislative Assistant
Senator Juan "Chuy" Hinojosa
(512) 463-0120

From: Graham Keever **On Behalf Of** Graham Keever_SC
Sent: Monday, January 24, 2011 6:02 PM
To: Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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Jason Hassay

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Sent: Monday, January 24, 2011 6:05 PM
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Subject: Senate Districts w/DPS stats
Attachments: Senate District no DPS.docx

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R Ph
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

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Sent: Monday, January 24, 2011 5:39 PM
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Subject: RE: Side by Side Comparison of SB 362 and SB 14

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To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Cc: Sean Abbott_SC; Lesley Nelson; MaryAnn Carrion
Subject: Side by Side Comparison of SB 362 and SB 14

Here it is....I haven't even read it yet...

Debra Gonzales
Legislative Director
Senator Gallegos
512-463-0106 office
512-463-0346 fax

Jason Hassay

From: Graham Keever on behalf of Graham Keever_SC
Sent: Monday, January 24, 2011 6:02 PM
To: Dan Buda; Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Amendments

As of right now, we're running with the Medicare card amendment only.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Jason Hassay

From: Dan Buda
Sent: Monday, January 24, 2011 5:39 PM
To: Debra Gonzales; Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Side by Side Comparison of SB 362 and SB 14
Attachments: Texas v. Indiana.docx

And this is a brief comparison of SB 14 vs. Indiana Voter ID law.

Dan Buda
Chief of Staff
State Senator Wendy Davis
(512)463-0110
dan.buda@senate.state.tx.us

From: Debra Gonzales
Sent: Monday, January 24, 2011 5:34 PM
To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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To: Harold Cook; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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Subject: Side by Side Comparison of SB 362 and SB 14
Attachments: document2011-01-24-171614.pdf

Here it is....I haven't even read it yet...

Debra Gonzales
Legislative Director
Senator Gallegos
512-463-0106 office
512-463-0346 fax

Jason Hassay

From: Graham Keever on behalf of Graham Keever_SC
Sent: Monday, January 24, 2011 9:22 AM
To: Steve Scheibal; Harold Cook
Cc: Jason Hassay; Debra Gonzales; Amber Hausenfluck; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments request por favor?

I don't know if my boss intends to run with any or all of these, but here's what I've had drafted:

- Restore SB 362 two-track eligibility documentation;
- Same day registration during early voting;
- Medicare ID presented w/voter registration certificate allows a person to vote;
- Restore SB 362 inclusion of CHL and valid state or federal photo ID into list of documents;
- Penalty of perjury affidavit plus voter registration certificate allows a person to vote
- Class B misdemeanor for a person who knowingly deceives another person regarding the time, place, or manner of conducting an election, or the qualifications for or restrictions governing voter eligibility

From: Steve Scheibal
Sent: Sunday, January 23, 2011 7:12 PM
To: Harold Cook
Cc: Jason Hassay; Debra Gonzales; Amber Hausenfluck; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Re: Amendments request por favor?

We're working on two:

-- striking the bill and instead increasing criminal penalties on those who actually commit voter fraud and impersonation.

-- and the Ogden amendment from last session, saying the bill will have no effect if an appropriation isn't made.

On Jan 23, 2011, at 5:36 PM, "Harold Cook" <hc@haroldcook.com> wrote:

Folks, if I could get a reply from each office on amendments each office has drafted for voter ID it might help the Senators' conference call more productive. No huge explanation necessary, just one sentence summaries?

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-Jason

Jason Hassay
Chief of Staff & General Counsel
Office of Senator Carlos I. Uresti
512-463-0119 phone
512-463-1017 fax

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Sunday, January 23, 2011 4:33 PM
To: Debra Gonzales
Cc: Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Re: VID Working Group: Question of a side by side comparison of SB 14 & SB 362

At least 2 Senators have asked this very question, so somebody should sure tackle that project.

On Jan 23, 2011, at 4:28 PM, Debra Gonzales
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Hello

I was wondering if anyone had already done a side by side comparison of SB 14 and SB 362 (senate engrossed version from the 81st)? If so...may I please have a copy?

If not I will be working on one and will share it if anyone wants a copy... Thanks!

Debra Gonzales

Legislative Director

Senator Gallegos

512-463-0106 office

512-463-0346 fax

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Saturday, January 22, 2011 6:06 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: VID Working Group: add'l materials from Luis Figueroa

Luis Figueroa sent some requested items to several of the group so I wanted to share with all.

Begin forwarded message:

From: "Luis Figueroa" <lfigueroa@MALDEF.org>
Date: January 22, 2011 5:33:42 PM CST
To: "Harold Cook" <hc@haroldcook.com>, "David Edmonson" <David.Edmonson@senate.state.tx.us>, "Amber Hausenfluck" <Amber.Hausenfluck@senate.state.tx.us>, <richard.sooksiasian@senate.state.tx.us>
Cc: "Laurie Vanhooose" <austintransplant@gmail.com>
Subject: Additional materials for Voter ID Senate Committee hearing

Attached:

1) Crawford v. Marion County- Supreme Court ruling that upheld Indiana's strict voter id legislation.

Distinguishing points:

1) Texas is a section 5 state with a much larger minority population than Indiana

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3) Deceptive Elections Flyer given to minority voters in Tarrant County in 2007. Example of fraud that is substantiated and unprosecuted because there is no law on the books to address.

4) Voter Id power point. Pages 4-8 layout the studies demonstrating impact of voter identification laws on minority electorate.

5) Maricopa County Analysis of Conditional Provisional Ballots in Arizona after their implementation of a voter id(proposition 200) that mirrored last year's Tx Senate Voter ID Bill (SB 364). Conditional Provisional Ballots were given to voters that lacked the ID documents in Arizona meaning these ballots are separate from regular provisional ballots.

Luis Figueroa

MALDEF

Legislative Staff Attorney

110 Broadway

Suite 300

San Antonio, TX 78205

L.Figueroa@maldef.org

210-224-5476 ext. 212

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Jason Hassay

From: Ray Martinez
Sent: Sunday, January 23, 2011 6:38 PM
To: Amber Hausenfluck; Harold Cook; David Edmonson
Cc: Jason Hassay; Debra Gonzales; Steve Scheibal; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments request por favor?

Based on the emails, it appears everyone is working on a variety of these below. Here's what we're looking at:

1. **Affidavit bypass amendments** – Michigan has an affidavit bypass option, where voters who show up at the polls without required photo ID can sign under penalty of perjury and cast a regular (not provisional) ballot. Also, in Florida, voters who don't have required ID cast a provisional ballot but those ballots are counted if the voter signature matches those on the voter rolls. The final affidavit- bypass option is to allow a voter who does not have photo ID to cast a regular ballot if they provide one or two forms of non-photo ID.
2. **Franchise-expanding amendments** – From the various emails, it looks like other offices are already working on a good list of amendments in this category. One idea we're looking at is automated transmission of registration information. Texas is now one of at least 10 states that has at least partially automated the registration process between DPS and election officials. What that means is that the agency transmits at least some registration information electronically, eliminating the need for local data entry. One idea would be to expand this automated registration process to social service agencies, including those agencies serving individuals on public assistance.
3. **Making ID's more widely available** – SB 14 is modeled after the Indiana voter ID bill. The U.S. Supreme Court, in upholding the Indiana photo ID bill, made it clear that there could still be statutory and/or constitutional violations in certain situations as the law is implemented. I am assuming Republicans will argue that since the Indiana law has been given Supreme Court approval, it must be good law. So, the idea is to emphasize how the differences in applying the "Indiana law" to Texas will lead to violations of the Voting Rights Act or even constitutional principles. For example, when one compares "rural" Indiana to "rural" Texas, there are, needless-to-say, significant differences particularly in the vast distance between voters and access to a DPS office where they can obtain a photo ID. Based on our Friday meeting, I believe several offices are already working on ideas in this category, such as requiring enough DPS offices to make it easier to obtain an ID, as well as requiring extended hours for DPS offices, including early mornings, evenings and weekends, especially in the period leading up to an election.

Hope this is helpful.

Ray Martinez
Chief of Staff and General Counsel
Director, Senate Higher Education Committee
Office of Senator Judith Zaffirini
Texas State Capitol, Rm. 1E.14
(512) 463-0121

From: Amber Hausenfluck
Sent: Sunday, January 23, 2011 6:29 PM
To: Harold Cook; David Edmonson
Cc: Jason Hassay; Debra Gonzales; Steve Scheibal; Ray Martinez; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments request por favor?

Van de Putte discussed two additional amendments, although I'm not quite sure how to word them yet. Luis is working on it for me. These two potential amendments are:

1. Mandating the poll workers check ID's for the sole purpose of identity and not to check where one lives.
2. Prohibiting poll workers from denying a person the right to vote because their name on their ID does not exactly match up.

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Sunday, January 23, 2011 6:23 PM
To: David Edmonson
Cc: Jason Hassay; Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Re: Amendments request por favor?

actually group, #2 on David's list is important...when the Republicans vote against that amendment, whoever takes the lead in opposing pre-clearance will be able to show that the exact sort of data DoJ would most want to know about could have been gathered, but that the legislature rejected gathering it.

On Jan 23, 2011, at 5:40 PM, David Edmonson wrote:

As of right now, Sen. Ellis is concentrating on three amendments.

1. **Election day registration** - can register to vote at a polling place on election day
2. **Disparate impact report** - require the Secretary of State to produce an annual report determining whether the changes in law instituted via SB 14 produce a disparate impact on any population subgroups in our state. It would also make the effective date of SB 14 contingent upon a determination by the Secretary of State that there would not be a disparate impact on any group.
3. **Sunset dates** - a two year sunset date on SB 14. We're also drafting a traditional 12 year sunset. Not sure which he'll run with.

Thanks,
David

From: Harold Cook [mailto:hc@haroldcook.com]

Sent: Sunday, January 23, 2011 5:36 PM

To: Jason Hassay

Cc: Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Amendments request por favor?

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On Jan 23, 2011, at 4:47 PM, Jason Hassay <Jason.Hassay@senate.state.tx.us> wrote:

We did an informal break down but only have our notes in pencil. Will work on typing them up to share

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Jason Hassay

Chief of Staff & General Counsel

Office of Senator Carlos I. Uresti

512-463-0119 phone

512-463-1017 fax

From: Harold Cook [mailto:hc@haroldcook.com]

Sent: Sunday, January 23, 2011 4:33 PM

To: Debra Gonzales

Cc: Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

Subject: Re: VID Working Group: Question of a side by side comparison of SB 14 & SB 362

At least 2 Senators have asked this very question, so somebody should sure tackle that project.

On Jan 23, 2011, at 4:28 PM, Debra Gonzales <Debra.Gonzales@senate.state.tx.us> wrote:

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I was wondering if anyone had already done a side by side comparison of SB 14 and SB 362 (senate engrossed version from the 81st)? If so...may I please have a copy?

If not I will be working on one and will share it if anyone wants a copy...

Thanks!

Debra Gonzales
Legislative Director
Senator Gallegos
512-463-0106 office
512-463-0346 fax

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Saturday, January 22, 2011 6:06 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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Luis Figueroa sent some requested items to several of the group so I wanted to share with all.

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From: "Luis Figueroa" <lfigueroa@MALDEF.org>
Date: January 22, 2011 5:33:42 PM CST
To: "Harold Cook" <hc@haroldcook.com>, "David Edmonson" <David.Edmonson@senate.state.tx.us>, "Amber Hausenfluck" <Amber.Hausenfluck@senate.state.tx.us>, <richard.sooksiasian@senate.state.tx.us>
Cc: "Laurie Vanhooose" <austintransplant@gmail.com>
Subject: Additional materials for Voter ID Senate Committee hearing

Attached:

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Luis Figueroa

MALDEF

Legislative Staff Attorney

110 Broadway

Suite 300

San Antonio, TX 78205

L.Figueroa@maldef.org

210-224-5476 ext. 212

Jason Hassay

From: Amber Hausenfluck
Sent: Sunday, January 23, 2011 6:11 PM
To: Harold Cook; Jason Hassay
Cc: Debra Gonzales; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments request por favor?

1. Strike "70 years of age or older" and substitute "65 years of age or older."
2. 2 alternative forms of ID (taken from SB 382 from the 81st)
3. Changes in the law do not take effect unless the comptroller determines that the legislature has appropriated the amount of money appropriate entities that is necessary to fully fund the implementation of this Act. The Changes in law do not take effect unless the Secretary of State has received certification from every county that they have completed the training and outreach designated in SB 14.
4. A student at an institution of higher education in which their permanent address is different than their address used for voter registration can use their photo id and another form of id that has their school address listed (utility bill, bank statement, government check, paycheck, etc).

Amber Hausenfluck
Deputy Legislative Director
Senator Van de Putte, R.Ph.
E1.610
512-463-0126
amber.hausenfluck@senate.state.tx.us

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Sunday, January 23, 2011 5:36 PM
To: Jason Hassay
Cc: Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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Office of Senator Carlos L. Uresti
512-463-0119 phone
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Sent: Sunday, January 23, 2011 4:33 PM

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Cc: Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith

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Legislative Director

Senator Gallegos

512-463-0106 office

512-463-0346 fax

From: Harold Cook [mailto:hc@haroldcook.com]

Sent: Saturday, January 22, 2011 6:06 PM

To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David

Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez;
Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza;
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To: "Harold Cook" <hc@haroldcook.com>, "David Edmonson" <David.Edmonson@senate.state.tx.us>, "Amber Hausenfluck" <Amber.Hausenfluck@senate.state.tx.us>, <richard.sooksiasian@senate.state.tx.us>

Cc: "Laurie Vanhooose" <austintransplant@gmail.com>

Subject: Additional materials for Voter ID Senate Committee hearing

Attached:

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Suite 300

San Antonio, TX 78205

L.Figueroa@maldef.org

210-224-5476 ext. 212

Jason Hassay

From: Debra Gonzales
Sent: Sunday, January 23, 2011 5:51 PM
To: Harold Cook; Jason Hassay
Cc: Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments request por favor?

Harold,

This is what we have so far. We are still waiting for our DPS location amendment, and working on tweaks on our changing the effective date amendment. They are all very simple and straight forward amendments, one pagers.

1. SCA - SB 14 - voter ID - location of DPS officers to process driver's licenses. (we are also working on another version of this one)
2. SCA - SB 14 - voter ID - change effective date to Jan 1, 2014. (after the presidential election ☺, as a way to allow people proper time to obtain a DL)
3. SCA - SB 14 - voter ID - education materials in all languages. (to be added to the voter education SB 14 requires - in each language in which voter registration materials are already available in)
4. SCA - SB 14 - voter ID - school ID as acceptable form of identification. (pretty straight forward, all accredited institutions of public or private, higher ed as well as high school)

Debra Gonzales
 Legislative Director
 Senator Gallegos
 512-463-0106 office
 512-463-0346 fax

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Sunday, January 23, 2011 5:36 PM
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Luis Figueroa

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110 Broadway

Suite 300

San Antonio, TX 78205

L.Figueroa@maldef.org

210-224-5476 ext. 212

Jason Hassay

From: Sara Gonzalez
Sent: Sunday, January 23, 2011 5:45 PM
To: Harold Cook; Jason Hassay
Cc: Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: RE: Amendments request por favor?

Sen. Lucio's office requested drafts of the following:

1. Amendment requiring that notice be given to women about voter ID requirements when purchasing a marriage certificate (reason being that election clerks will now be confirming identity, and possible confusion when different last names appear on voter registration card vs. picture ID)
2. Require that posting of the ID changes in both English and Spanish appear at both county clerks offices and voting sites
3. Allowing 60 days use of an expired ID card, if using it for voting purposes and use of expired licenses permanently for voters over 60
4. Amendment changing the ID requirements on the bill to those used for obtaining a drivers license. (we're still talking through this one)

Thanks!

Sara

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Sunday, January 23, 2011 5:36 PM
To: Jason Hassay
Cc: Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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-Jason

Jason Hassay
Chief of Staff & General Counsel

Jason Hassay

From: Sara Gonzalez
Sent: Sunday, January 23, 2011 5:45 PM
To: Harold Cook; Jason Hassay
Cc: Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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Office of Senator Carlos I. Uresti
512-463-0119 phone
512-463-1017 fax

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Sunday, January 23, 2011 4:33 PM
To: Debra Gonzales
Cc: Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: Re: VID Working Group: Question of a side by side comparison of SB 14 & SB 362

At least 2 Senators have asked this very question, so somebody should sure tackle that project.

On Jan 23, 2011, at 4:28 PM, Debra Gonzales <Debra.Gonzales@senate.state.tx.us> wrote:

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If not I will be working on one and will share it if anyone wants a copy... Thanks!

Debra Gonzales

Legislative Director

Senator Gallegos

512-463-0106 office

512-463-0346 fax

From: Harold Cook [mailto:hc@haroldcook.com]
Sent: Saturday, January 22, 2011 6:06 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David

Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez;
Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza;
Sushma Smith

Subject: VID Working Group: add'l materials from Luis Figueroa

Luis Figueroa sent some requested items to several of the group so I wanted to share with all.

Begin forwarded message:

From: "Luis Figueroa" <lfigueroa@MALDEF.org>

Date: January 22, 2011 5:33:42 PM CST

To: "Harold Cook" <hc@haroldcook.com>, "David Edmonson" <David.Edmonson@senate.state.tx.us>, "Amber Hausenfluck" <Amber.Hausenfluck@senate.state.tx.us>, <richard.sooksiasian@senate.state.tx.us>

Cc: "Laurie Vanhooose" <austintransplant@gmail.com>

Subject: Additional materials for Voter ID Senate Committee hearing

Attached:

1) Crawford v. Marion County- Supreme Court ruling that upheld Indiana's strict voter ID legislation.

Distinguishing points:

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Luis Figueroa

MALDEF

Legislative Staff Attorney

110 Broadway

Suite 300

San Antonio, TX 78205

L.Figueroa@maldef.org

210-224-5476 ext. 212

Jason Hassay

From: David Edmonson
Sent: Sunday, January 23, 2011 5:40 PM
To: Harold Cook; Jason Hassay
Cc: Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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As of right now, Sen. Ellis is concentrating on three amendments:

1. **Election day registration** - can register to vote at a polling place on election day
2. **Disparate impact report** - require the Secretary of State to produce an annual report determining whether the changes in law instituted via SB 14 produce a disparate impact on any population subgroups in our state. It would also make the effective date of SB 14 contingent upon a determination by the Secretary of State that there would not be a disparate impact on any group.
3. **Sunset dates** - a two year sunset date on SB 14. We're also drafting a traditional 12 year sunset. Not sure which he'll run with.

Thanks,
David

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Sent: Sunday, January 23, 2011 5:36 PM
To: Jason Hassay
Cc: Debra Gonzales; Amber Hausenfluck; Steve Scheibal; Ray Martinez; David Edmonson; Will Krueger; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
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Luis Figueroa

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San Antonio, TX 78205

L.Figueroa@maldef.org

210-224-5476 ext. 212

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Saturday, January 22, 2011 6:32 PM
Subject: DEM CAUCUS: Attn Senators, Leg Directors

Importance: High

Senators, Legislative Directors, others caught in the Voter ID vortex from Hell:

Senator Van de Putte had a phone conversation with Senator Duncan a few minutes ago in which Duncan expressed his conclusion that neither side is ready to proceed with a Voter ID bill hearing on Monday. Duncan is now thinking that the Committee of the Whole resolution will be laid out on Monday, but that the COW hearing on the legislation will either be Tuesday (in a marathon session) or Tuesday and Wednesday (in two sessions of more normal duration).

But either way, it appears the beginning a hearing on the bill on Monday is no longer among Duncan's viable options.

(the member conference call scheduled for tomorrow at 8 pm is still on, unchanged)

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Saturday, January 22, 2011 6:06 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: VID Working Group: add'l materials from Luis Figueroa
Attachments: Crawford.pdf; ATT00001.htm; TexasVRA.pdf; ATT00002.htm; erroneous_election_flyer_Tarrant County 2007.pdf; ATT00003.htm; MALDEF VOTER ID.ppt; ATT00004.htm; Maricopa PPE analysis_Tammy_Patrick (2).pdf; ATT00005.htm

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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Saturday, January 22, 2011 1:38 PM
To: Amber Hausenfluck; Steve Scheibal; Ray Martinez; Debra Gonzales; David Edmonson; Will Krueger; Jason Hassay; Dan Buda; Graham Keever; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Lara Wendler; Gonzalo Serrano; Oscar Garza; Sushma Smith
Subject: VID working group: DoJ memo, Georgia Law

Voter ID working group peeps:

Regarding the Georgia Voter ID law, here is a link to the Department of Justice internal memo examining the law and recommending that it fail pre-clearance. The recommendation was ignored by the Bush appointees in DoJ, but the staff analysis of the effect of the legislation will undoubtedly give us clues as to what a Department of Justice serious about enforcing the Voting Rights Act might want to see in a fair process.

Warning: the document is over 50 pages long.

Thanks to Dan Buda for being the one to locate it.

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Friday, January 21, 2011 9:59 PM
To: Steve Scheibal; Amber Hausenfluck; Ray Martinez; David Edmonson; Debra Gonzales; Harold Cook; Will Krueger; Jason Hassay; Lara Wendler; Dan Buda; Micah Rodriguez; Graham Keever_SC; Sara Gonzalez; Oscar Garza; Gonzalo Serrano; Sushma Smith
Subject: VID Working Group: LVP letter to Duncan
Attachments: SB 14 Van de Putte Letter.pdf

Folks, the attached is a letter Senator Van de Putte sent to Senator Duncan late today. The members are aware of the letter.

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Friday, January 21, 2011 3:44 PM
To: Steve Scheibal; Amber Hausenfluck; Ray Martinez; David Edmonson; Debra Gonzales; Will Krueger; Jason Hassay; Lara Wendler; Micah Rodriguez; Dan Buda; Graham Keever_SC; Sara Gonzalez; Oscar Garza; Gonzalo Serrano; Sushma Smith; Harold Cook
Subject: VID Working Group: Indiana court case

To close the loop on a question asked earlier in the staff meeting regarding the eventual result of court action there following a state appeals court striking down the law, according to this news account, the state Supreme Court eventually upheld the law:

<http://www.theindychannel.com/news/24092831/detail.html>

(thanks to Sonya on WD's staff for finding this)

Jason Hassay

From: Harold Cook <hc@haroldcook.com>
Sent: Friday, January 21, 2011 3:34 PM
To: Steve Scheibal; Amber Hausenfluck; Ray Martinez; David Edmonson; Debra Gonzales; Will Krueger; Jason Hassay; Lara Wendler; Micah Rodriguez; Dan Buda; Graham Keever_SC; Sara Gonzalez; Oscar Garza; Gonzalo Serrano; Sushma Smith
Subject: Voter ID Working Group: Complete set of files
Attachments: Voter ID 09 exaggerated R claims.doc; Voter ID 09 vote suppression.doc; Voter ID 09 Voting Rights TPs.doc; THE VOTER ID BUREAUCRACY.docx; Voter ID 09 Summary of Facts from Studies.doc; Voter ID 09 Seniors.doc; Voter ID 09 rebuttals to R claims and myths.doc; Voter ID 09 GOP power grab.doc; Voter ID 09 No Voter Impersonation.doc; Hidalgo County Facts.doc; Voter ID 09 Editorial Opposition.doc; Voter ID 09 Polling Place Disenfranchisement.doc; Voter ID HseFloor Debate points and responses.doc; Voter ID Facts Voter Impersonation.pdf; Voter ID Women, students, less likely to have id.pdf; Voter ID Potential for discrimination.pdf

Folks:

The attached should represent all the sets of talking points and data already distributed at the staff meeting. I apologize for 3 of the files being in PDF form - I was unable to find the original files on my computer. THESE MATERIALS SHOULD BE CONSIDERED HIGHLY CONFIDENTIAL.

Thanks!

Jason Hassay

From: Carlos Uresti <carlos@urestilaw.com>
Sent: Wednesday, January 12, 2011 4:29 PM
To: Jason Hassay; Micah Rodriguez
Subject: Fwd: Additional Attachments on Voter ID
Attachments: Tanner_No_Voter_ID_Texas.doc; ATT00001.htm; VOTER ID IN NORTH CAROLINA.doc; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

From: "Luis Vera Jr." <lrjlaw@sbcglobal.net>
Date: January 12, 2011 2:09:33 PM CST
To: Hector Flores <hflores@lulac.org>, joey cardenas <joey_cardenas@hotmail.com>, Florinda Chavez <florindachavez@sbcglobal.net>, garybledsoe@sbcglobal.net, yannis_banks@yahoo.com, Matthew Simpson <msimpson@aclutx.org>, Jennifer Dykstra <Jennifer.Dykstra@senate.state.tx.us>, Leticia VandePutte <leticia.vandeputte@senate.state.tx.us>, Carlos Uresti <carlos@urestilaw.com>
Subject: Additional Attachments on Voter ID

Attached are 2 op eds written by John Tanner, former section chief of the Voting Rights Section at DOJ. They appeared in the Austin Statesman and in the Washington Post. They make valid points for our arguments.

Luis Roberto Vera, Jr.
Attorney and Counselor at Law
LULAC National General Counsel
1325 Riverview Towers
111 Soledad
San Antonio, Texas 78205-2260
Office (210) 225-3300
Fax (210) 225-2060
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